

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

VINCENT ELLIOT WILSON,  
Plaintiff,

v.

Civil No. 3:23cv224 (DJN)

SGT. ALPOS, et al.,  
Defendants.

**MEMORANDUM OPINION**

Plaintiff, a Virginia inmate, submitted this action and requested leave to proceed *in forma pauperis*. (ECF No. 2.) The pertinent statute provides:

In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. See *Wilson v. Arthur*, No. 3:23cv82 (DJN), 2023 WL 2506420, at \*6 (E.D. Va. Mar. 14, 2023); *Wilson v. Burgess*, No. 3:22cv662 (DJN), 2023 WL 2505863, at \*5 (E.D. Va. Mar. 14, 2023); *Wilson v. Arthur*, No. 3:22cv602 (DJN), 2023 WL 2507554, at \*6 (E.D. Va. Mar. 14, 2023); *Wilson v. U.S.P.S.*, No. 3:22cv689 (DJN), 2023 WL 1997069, \*2 (E.D. Va. Feb. 14, 2023); *Wilson v. Lindsey*, No. 3:23cv83 (DJN), 2023 WL 1997070, at \*2 (E.D. Va. Feb. 14, 2023). Plaintiff's current complaint does not suggest that he is in imminent danger of serious physical harm.

Accordingly, his request to proceed *in forma pauperis* will be DENIED. (ECF No. 2.)  
The action will be DISMISSED WITHOUT PREJUDICE.

Plaintiff remains free to submit a new complaint with the full \$402 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Final Order will accompany this Memorandum Opinion.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Plaintiff.

/s/

A handwritten signature in blue ink, appearing to be 'DN' with a checkmark-like flourish, positioned above a horizontal line.

David J. Novak  
United States District Judge

Richmond, Virginia  
Dated: April 10, 2023